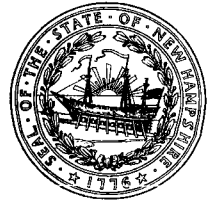




The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

Mr. Rick Prentice  
Langdon Place  
136 Arch Street  
Keene, New Hampshire 03431

LETTER OF DEFICIENCY  
WMB PBP 06-006  
May 12, 2006

Dear Mr. Prentice:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Wq 1100 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On May 9, 2006, DES inspected the following public bathing facilities at Langdon Place in Keene, NH: the indoor pool ("Indoor Pool") and spa ("Spa").

During this inspection, the following deficiencies were noted:

1. A recommendation to close the Pool and Spa was issued on May 9, 2006. The inspection on May 9, 2006 revealed that the Pool and Spa were in violation of Env-Wq 1105.10 and unsafe for public use. The following bacterial violations were observed in the Spa water:
  - a. Pursuant to Env-Wq 1105.10(a)(2) the maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Spa water contained greater than 200 CTS/100mL.
2. Env-Wq 1105.10(b)(6a) requires a free residual chlorine concentration between 1.0 mg/L and 5.0 mg/L in public pool water. The free chlorine residual of the Indoor Pool water was 0 mg/L on May 9, 2006.
3. Env-Wq 1105.10(b)(7) requires a free residual chlorine concentration between 2.0 mg/L and 10.0 mg/L in public spa water. The chlorine concentration of the Spa water was 0 mg/L on May 9, 2006. A recommendation to close and drain the Spa was issued on May 9, 2006.
4. Env-Wq 1105.10(b)(1) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 6.6 on May 9, 2006.
5. Env-Wq 1105.10(b)(1) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Spa water was 8.5 on May 9, 2006.
6. Pursuant to Env-Wq 1106.05, disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypo-chlorite or bromine tablets with control of the erosion rate. The Indoor Pool is currently being disinfected by hand feeding.
7. Env-Wq 1106.04(a)(2) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a working flow meter.
8. Env-Wq 1106.04(a)(2) requires spa filtration systems to include a flow meter. The filtration system for the Spa did not include a working flow meter.
9. Pursuant to Env-Wq 1106.05(d), stabilized chlorine shall not be permitted for indoor facilities. The Pool and Spa were being disinfected with stabilized chlorine.

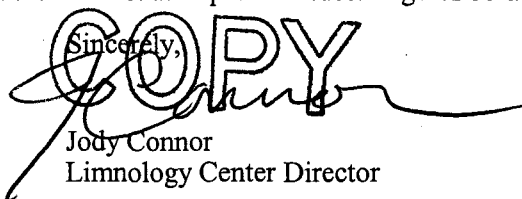
10. Pursuant to Env-Wq 1107.03(b)(4), suction outlets shall be protected by a safety vacuum release system that complies with ASME/ANSI A112.19.17, published 2002. The Spa does not have a safety vacuum release system installed. The owner shall replace or retrofit the Spa to comply with this requirement by no later than December 31, 2010.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the disinfection feeder to be installed.
3. The type, manufacture, and model of the flow meters to be installed.
4. A timetable of when:
  - a. the installation of the disinfection feeder will be completed; and
  - b. the installation of the flow meter will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Wq 1101-1105. After a violation of Env-Wq 1105.10(a)-(d), the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Wq 1101-1110 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.nh.gov/Pool/>

Sincerely,  
  
Jody Connor  
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 6579

Enclosures

cc: ✓ Gretchen R. Hamel, Legal Unit Administrator, DES  
Tim Wilson, Public Bathing Facility Coordinator, DES  
Medard Kopczynski, Health Officer, Town of Keene